

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 6/26/2014	NEED RESPONSE BY: ASAP
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: YOLO	
3. PHONE NO.:	7. SUBJECT: Student Eligibility Employment Exemption	
4. REGULATION CITE(S): 63-406.2	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

If a student is employed for at least 20 hours per week but instead of receiving wages they receive an in-kind income benefit (for example the employer pays the student's rent and utilities), would this person qualify as an eligible student based on MPP section 63-406.211?

10. REQUESTOR'S PROPOSED ANSWER:

MPP section 406.211 states a student must be employed for a minimum of twenty hours per week and be paid for such employment, it does not exclude in-kind income as a source of payment so the student should be eligible based on this criteria.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The State does not agree with proposed answer. Employment that receives in-kind income does not satisfy the student exemption requirement. The intent of Congress is to limit the exemption to students that are gainfully employed and making realistic attempts to support themselves. Receiving in-kind income instead of wages does not meet the Congressional intent.

### FOR CDSS USE

DATE RECEIVED:

June 26, 2014

DATE RESPONDED TO COUNTY/ALJ:

October 17, 2014 R. Nevins